

**A G E N D A**

**BOARD OF SHELBY COUNTY COMMISSIONERS**

**CHARTER FORM OF GOVERNMENT**

**SEPTEMBER 13, 2004**

**1:30 P.M. COMMISSION CONVENES**

**CALL TO ORDER Deputy Sheriff Alfredo Henry**

**INVOCATION Dr. Benjamin Hooks  
Greater Middle Baptist Church**

**PLEDGE OF ALLEGIANCE**

**ROLL CALL**

**WILLINGHAM ADOPTED** **Approval of Minutes of Previous Sessions**  
**July 12, 2004**

**Resolutions of Memorial, Sympathy and Commendation**

**HOOKS ADOPTED** 1. **Memorial Resolution respectfully honoring fallen hero, United States Army Specialist Marco D. Ross.**

***R E G U L A R A G E N D A***

**Elections, Appointments, and Confirmations**

**AVERY ADOPTED** 2. **Resolution electing the Chairman of the Board of County Commissioners of Shelby County, Tennessee, pursuant to Shelby County Charter, Article II, Section 2.08.**

**LILLARD ADOPTED** 3. **Resolution electing the Chairman Pro Tempore of the Board of County Commissioners of Shelby County, Tennessee, pursuant to Shelby County Charter, Article II, Section 2.08.**

***C O N S E N T A G E N D A***

**Ordinances**

**FORD  
APPROVED**

4. **ORDINANCE – FIRST READING** – An Ordinance to adopt Supplement No. 25 to the Code of Shelby County, Tennessee.

**Zoning and Subdivisions**

**MOSS  
ADOPTED  
(A-D)**

5. Resolution approving various subdivision contracts, plats, extensions, bond releases, etc. as recommended by the County Engineer.

**Reports and/or Resolutions of Standing Committees**

**KIRK  
ADOPTED**

6. Resolution rescinding the sale of twenty-four delinquent tax parcels from tax sale(s) 51, 52, 53, 55, 82.2, 89.5, 92.2A, 93.1A, 94.2, 94.3, 94.4, 94.5, 95.2, 97.2, 97.3, 97.4, 98.2, 99.1 and 99.2 pursuant to the provision of the Tennessee Code Annotated 67-5-2507.

**KIRK  
ADOPTED**

7. Resolution to approve an amendment between Shelby County Government and International Business Machines, Inc. (IBM) for maintenance of the Visualage Pacbase Support Software in the total amount of \$91,230.00 from FY 2004/2005, Operations and Maintenance Budget, Account Number 010-201804-6780.

**KIRK  
ADOPTED**

8. Resolution approving contract with Wagner General Contractors, Inc., for rooftop unit (RTU) replacement – Phase 3 – at 1075 Mullins Station, appropriating funds in the amount of \$547,700.00 from the FY 2004/2005 Budget for CIP Project Number 101710, Office Buildings, and appropriating an extra work allowance in the amount of \$12,300.00 from the FY 2004/2005 Budget for CIP Project Number 101710, Office Buildings.

**KIRK  
ADOPTED**

9. Resolution amending the FY 2005 Operating Budget; approving a Juvenile Accountability Block Grant Agreement between Shelby County Government and the Tennessee Commission on Children and Youth for the term October 1, 2004 to September 30, 2005; approving a sub-award agreement pursuant thereto with the Commission on Missing and Exploited Children; and correcting an omission from the Position Control Budget.

**AVERY  
ADOPTED**

10. Resolution approving an inter-agency agreement between the Memphis and Shelby County Health Department and the City of Memphis Division of Housing and Community Development in the amount of \$169,166.00 for the period February 28, 2004 – March 31, 2006 for a Lead Based Paint Hazard Reduction Program and amending the FY 2004-2005 Operating Budget.

**AVERY  
ADOPTED**

11. Resolution to approve a contract between the Memphis and Shelby County Health Department and the Tennessee Department of Health in the amount of \$100,000.00 for provision of an Infant Mortality Program for the period July 1, 2004 – June 30, 2005 and amending the FY 2004/2005 Operating Budget.

**THOMPSON  
ADOPTED**

12. Resolution amending the FY 2004 Operating Budget and authorizing the Shelby County Mayor to execute a Grant Agreement with the U.S. Department of Justice for the county's Local Law Enforcement Block Grant for federal fiscal year 2004.

**MOSS  
ADOPTED**

13. Resolution authorizing Shelby County Government on behalf of the Department of Regional Services to accept a grant award from the U.S. Geological Survey Eastern Region Acquisition and Grants Branch in the amount of \$25,000.00 to obtain hardware and software and personnel to provide support for the proposal "Geospatial Decision Support System for Shelby County" and to amend the FY 2004/2005 Operating Budget.

**RENDTORFF  
ADOPTED**

14. Resolution to approve Lease Agreement Addendum with 100 N. Main Building for office space known as Suite 1301 for the Community Services Agency and appropriating funds in the amount of \$17,838.00.

**RENDTORFF  
ADOPTED**

15. Resolution adopting policies and procedures for the Shelby County Head Start Program which decreases the number of members to 19.

**RENDTORFF  
ADOPTED**

16. Resolution authorizing Shelby County Government to accept \$285,822.00 from U.S. Housing and Urban Development (HUD) for substance abuse services for homeless patients seen at the Detoxification Center and to amend the FY 2004/2005 Operating Budget and amending the appropriation made in Resolution No. 22 adopted by the Board of Commissioners on August 23, 2004.

**MOSS  
ADOPTED**

17. Resolution appropriating funds in the amount of \$240,000.00 for the county's share of funding of the Wolf River Ecosystem Restoration Project from the FY 2004/2005 Budget for Project #101906, Chickasaw Basin Authority.

**FORD  
ADOPTED**

18. Resolution approving a modification to the Shelby County Health and Hospitalization Plan benefits to provide for health insurance to spouses and dependents of employees killed in the line of duty.

MALONE  
ADOPTED

19. Resolution approving the transfer of title of one parcel of Homestead Program property pursuant to Tennessee Code Annotated 7-66-101 to 7-66-111 and Resolution #24 adopted by the Shelby County Board of Commissioners on October 7, 1985, authorizing the implementation of the Homestead Program.

FORD  
ADOPTED

CONSENT AGENDA

REGULAR AGENDA

Ordinances

Zoning and Subdivisions

MOSS  
(DEFERRED  
TO 09/27/04)

20. CASE NO. Z 03-125 CC  
APPLICANT: Steve Anderson, Trustee
- LOCATION: South side of Macon Road; +/- 1,047.82 feet east of Pisgah Road
- REQUEST: Single Family Residential (R-S10) and Planned Commercial (C-P) District
- Memphis and Shelby County Office of Planning and Development recommendation:  
REJECTION
- Memphis and Shelby County Land Use Control Board recommendation:  
APPROVAL of R-S10 and  
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, June 11, 2004.)

MOSS  
ADOPTED

21. CASE NO. P.D. 04-329 CC  
APPLICANT: Rusco
- LOCATION: West side of Pisgah Road; ±1,623.1 feet north of Macon Road
- REQUEST: An eighty (80) lot residential development
- Memphis and Shelby County Office of Planning and Development recommendation:  
APPROVAL WITH CONDITIONS
- Memphis and Shelby County Land Use Control Board recommendation:  
APPROVAL WITH CONDITIONS
- (Notice of public hearing published in the Daily News on Friday, September 3, 2004.)

**MOSS  
ADOPTED**

- 22. CASE NO. P.D. 04-338 CC**  
**APPLICANT:** Rusco Company
- LOCATION:** East of Houston Levee Road; +/-1,315 feet at the northern terminus of Lawson Drive and +/-150 feet north of its intersection with Spruce Grove Lane
- REQUEST:** Planned development to permit fifty-one (51) single family homes with minimum lot sizes of 8,000 square feet within the Outline Plan
- Memphis and Shelby County Office of Planning and Development recommendation:**  
**APPROVAL WITH CONDITIONS**
- Memphis and Shelby County Land Use Control Board recommendation:**  
**APPROVAL WITH CONDITIONS**
- (Notice of public hearing published in the Daily News on Friday, September 3, 2004.)

**MOSS  
ADOPTED**

- 23. CASE NO. P.D. 04-344 CC**  
**APPLICANT:** GreenScape, Inc.
- LOCATION:** North side of Summer Avenue (U.S. Highway 70); +/-1,120 feet east of Westbrook Road
- REQUEST:** Planned development to permit office and commercial uses, including a landscape contractor's office with outdoor storage yard and display areas within the Outline Plan
- Memphis and Shelby County Office of Planning and Development recommendation:**  
**APPROVAL WITH CONDITIONS**
- Memphis and Shelby County Land Use Control Board recommendation:**  
**APPROVAL WITH CONDITIONS**
- (Notice of public hearing published in the Daily News on Friday, September 3, 2004.)

**Reports and/or Resolutions for Standing Committees**

**KIRK  
ADOPTED**

- 24. Resolution to approve a contract between CIMS Global Technology Solutions, Inc., and Shelby County Government, Information Technology Department, for document management consulting services and software and hardware purchases, and to appropriate funds from FY 2004/2005, Operations and Maintenance Budget, Account Number 010-201807-6634, Outside Consultant Fees, in the amount of \$200,000.00; and**

Account Number 010-201807-7003, Computer Hardware and Software, in the amount of \$50,000.00; for a total amount of \$250,000.00.

**FORD  
ADOPTED**

25. Resolution approving Linda Rendtorff as Director of Community Services of Shelby County, Tennessee.

**Announcements/Statements**

26. Notification from county mayor of various appointments/reappointments to Boards, Commissions, and offices of Shelby County Government.
- a. Resolution approving the county mayor's nomination of Humphrey Folk, III, for appointment to the Memphis and Shelby County Port Commission.
  - b. Resolution approving the county mayor's nomination of Mary Sharp for appointment to the Memphis and Shelby County Center City Downtown Parking Authority.
  - c. Resolution approving the county mayor's nomination of Paul Brown and Wesley Grace for reappointment and of Martin Truitt, Johnny Moore and Cheryl Patterson for appointment to the Memphis and Shelby County Center City Revenue Corporation.

**Adjournment**

**BOLTON  
ADOPTED**

27. Resolution of Adjournment to September 16, 2004, at 1:30 p.m.

**AGENDA # 5**  
**SEPTEMBER 13, 2004**

**5A**

**SUBDIVISION:** CHASEWOODS SUBDIVISION (S 00-016 CC)

**DEVELOPER:** TIM BOONE

**ACTION:** RESOLUTION TO APPROVE THE AGREEMENT TO SECURE THE IMPROVEMENTS TO CHASEWOODS SUBDIVISION (S 00-016 CC) AND AUTHORIZE THE RECORDING OF THE PLAT WHEN BONDING PROCEDURES HAVE BEEN FULFILLED

**LOCATION:** EAST SIDE OF CHASE ROAD (LUCY ROAD) +890 FEET SOUTH OF ENDAHWIN COVE

**5B**

**SUBDIVISION:** CORDOVA INDUSTRIAL PARK SUBDIVISION, THIRD ADDITION (S 00-012 CC)

**DEVELOPER:** SUMMIT HOMES, L.L.C.

**ACTION:** RESOLUTION TO APPROVE THE PLAT FOR CORDOVA INDUSTRIAL PARK SUBDIVISION, THIRD ADDITION (S 00-012 CC) AND AUTHORIZE THE RECORDING OF THE PLAT

**LOCATION:** EAST SIDE OF BIG ORANGE ROAD AT THE INTERSECTION OF BIG ORANGE ROAD AND CORDOVA PARK ROAD

**5C**

**SUBDIVISION:** FOREST CREEK P.D., PHASE 4, AMENDED AREAS 2 AND 4 (P.D. 01-327 CC)

**DEVELOPER:** ROBERT DENLEY, L.L.C.

**ACTION:** RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO FOREST CREEK P.D., PHASE 4, AMENDED AREAS 2 AND 4 (P.D. 01-327 CC)

**LOCATION:** NORTH SIDE OF SHELBY DRIVE; +914 FEET EAST OF MAYFIELD DRIVE

**5D**

**SUBDIVISION:** WINCHESTER-HACKS CROSS P.D., PHASE 17 (P.D. 97-361 CC)

**DEVELOPER:** WHC REALTY

**ACTION:** RESOLUTION TO RELEASE THE BOND THAT SECURED THE IMPROVEMENTS TO WINCHESTER-HACKS CROSS P.D., PHASE 17 (P.D. 97-361 CC)

**LOCATION:** WEST SIDE OF HACKS CROSS ROAD, 600 FEET NORTH OF NONCONNAH PARKWAY